

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Khammam District – A.C.B. Trap case on Sri G.Manohar, Senior Assistant, O/o the Tahsildar, Khammam Rural Mandal, Khammam District – Ordered for Departmental Enquiry on A.P.R's – Show Cause Notice Issued – Impose punishment of 10 % cut in pension for a period of one year – Orders – Issued – Reg.

REVENUE (VIG.VI) DEPARTMENT

G.O.Rt.No.851.

Dated: 11.06.2013.

Read the following:

1. Collector, Khammam District, Charge Memo.No.A1/2309/2009, dated: 04.05.2012.
2. Representation of Sri G.Manohar, dated: 21.05.2012.
3. Enquiry report of Project Officer, ITDA, Bhadrachalam in Rc.No.A1/ITDA/875/2012, dated: 10.07.2012.
4. From the Collector, Khammam No.A1/2309/2009, dated: 04.09.2012.
5. Govt. Memo.No.37122/Vig.VI (2)/2008-14, dated: 16.11.2012.
6. Representation of Sri G.Manohar dated: 21.11.2012.
7. Govt.Memo.No.37122/Vig.VI (2)/2008-16, dated: 11.03.2013.
8. Representation of Sri G.Manohar, dated: 06.03.2013.
9. Govt. Lr.No.37122/Vig.VI (2)/2008, dated: 27.04.2013.
10. Form the Secretary, APPSC Lr.No.329/RT/3/2013, dated: 28.05.2013.

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ORDER:

Whereas, Sri G.Manohar, Senior Assistant, O/o the Tahsildar, Khammam Rural Mandal, Khammam (Accused Officer-1) was caught red handed in the room of Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar, O/o the Tahsildar, Khammam Rural Mandal, Khammam District (Accused Officer-2) while accepting the bribe amount of Rs.5000/-, as per the instructions of Accused Officer-2, from the complainant Syamala Rami Reddy R/o Gollapadu (V) for doing official favour for processing and issuing of Ownership Certificate of the land to the complainant, that both the Accused Officers were arrested by the Anti Corruption Bureau officials on the allegation of corruption and detained for a period exceeding (48) hours, the District Collector, Khammam informed that, Sri P.Sambasiva Rao, Superintendent-cum-Tahsildar and Sri G.Manohar, Senior Assistant, O/o Tahsildar, Khammam Rural Mandal, Khammam District were placed under suspension.

2. Further, the Director General, Anti Corruption Bureau has furnished the final report recommending to prosecute both the Accused Officers viz., Sri G.Manohar, Senior Assistant (Accused Officer-1) and Sri P.Sambasiva Rao, Superintendent-cum-Deputy Tahsildar (Accused Officer-2), O/o the Tahsildar, Khammam District in a court of law u/s 7 and 13(1)(d) read with 13(2) of Prevention of Corruption Act, 1988 and 34 IPC, on the allegation of demanding and accepting bribe and to initiate departmental action on the allegation of failure to submit their Annual Property Returns. Accordingly, Government ordered for Prosecution vide G.O.Ms.No.823, Revenue (Vig.VI) Department dated 10.08.2009.

3. The Director General, Anti Corruption Bureau has informed that Sri G. Manohar, Senior Assistant was acquitted from the charges under sections 7 & 13(2) read with 13(1) (d) of Prevention of Corruption Act, 1988 by the Special Judge for Anti Corruption Bureau Cases, Hyderabad on 17.03.2012. He has also informed that the Bureau is of the opinion that there are no grounds to file an appeal in the High Court of Andhra Pradesh against the acquittal orders of the Trial Court in C.C.No.167/10, dated 17.03.2012 and requested the Government to issue final orders in the matter. Therefore the applicant Sri.G.Manohar, Senior Assistant has requested the Government to drop further action against him in the Criminal case as he have been acquitted by the Trail Court.

4. Further the District Collector, Khammam District, has framed the following charges against Sri G.Manohar, Senior Assistant for non filing of Annual Property Returns.

Charge-I:

That, Sri G.Manohar, S/o Manikyam joined Government service on 01.07.1977 as Attender in Revenue Department and promoted as Junior Assistant in the year 1986 and Senior Assistant on 18.09.2007. During his service he has committed grave misconduct in as much as he did not submit Annual property Returns (Movable & Immovable) during his service from 01.07.1977 to 14.07.2008 and failed to deliver the ownership certificate to the complainant even though it was signed and prepared on 09.07.2008 to the Department and failed to maintain absolute integrity in violation of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

That, Sri G.Manohar by his above mentioned act has exhibited lack of integrity. Devotion to duty, conduct un-becoming of a Government Servant and thereby violated Sub-Rule 7 of Rule 93 (1) (2) and 3 (B) (b) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

5. In reply to the charge memo, the Charged Officer submitted his Written Statement of Defence to the District Collector, Khammam District, in the reference 2nd cited with a request to stop further action against him.

6. The District Collector, Khammam, being not convinced with the explanation, appointed the P.O., ITDA, Khammam as Enquiry Officer to conduct regular enquiry on the charges framed against the Accused Officer. The Regular Enquiry Officer conducted regular enquiry and submitted his report vide reference 3rd cited, wherein, the charges framed against Sri Manohar, Senior Assistant, are held proved.

7. In the reference 4th cited, the District Collector, Ranga Reddy District, has forwarded a proposal for taking further action against Sri G.Manohar, formerly Senior Assistant O/o. Tahsildar, Khammam (Rural), Khammam District as the Charged Officer has retired from service on attaining the age of superannuation on 30.06.2012 since the Government is the competent authority to take action against the Retired Officers under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 read with Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991.

8. Whereas the Enquiry Officer's report is communicated to Sri G.Manohar, formerly Senior Assistant, O/o. Tahsildar, Khammam (Rural), Khammam District, vide reference 5th cited with a direction to file his representation on the findings of the Regular Enquiry Officer.

9. Whereas in the reference 6th cited he has requested that he has not filed any Annual Property Returns in his entire service, since he was not having any movable or immovable property and was residing in a rented house and therefore he has requested to drop further action in the matter.

10. Whereas, the Government have observed that, in his representation he has himself accepted that he has not filed any Annual Property Returns, therefore the Government have provisionally decided to impose withhold 10% of pension for One year and issued a Show Cause Notice directing to the Charged Officer as to why punishment of 10% cut in pension for One year should not be imposed on him. In reply, the Charged Officer has stated that he has no movable and immovable properties on his name or his family members name and he is residing at a rented house at Khammam. The Charged Officer has not filed any new grounds and he has accepted that he has not filed Annual Property Returns during his entire service. Further, in this matter, the concurrence of the Andhra Pradesh Public Service Commission has been obtained in the matter.

11. Government, after careful examination of the matter have decided and hereby ordered to impose the punishment of 10% (ten percentage) cut in pension for a period of one year against Sri G.Manohar, Senior Assistant (Retired), O/o Tahsildar, Khammam Rural Mandal, Khammam District duly dropping further action in the criminal case.

12. The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad and Collector, Khammam shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.G.GOPAL
PRINCIPAL SECRETARY TO GOVERNMENT

To

G.Manohar, Senior Assistant (Retired). (**through Collector, Khammam**)
The Special Chief Secretary and Chief

Commissioner of Land Administration, A.P., Hyderabad.
The District Collector, Khammam.

Copy to:

1. The Director General, Anti Corruption Bureau, A.P., Hyderabad.
2. The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.
3. The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.
4. CC.

// FORWARDED :: BY ORDER //

SECTION OFFICER